

REMARKS

In response to the Office Action dated February 9, 2005, Applicant respectfully requests reconsideration based on the above amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1-8, 10-15 and 17-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Thorne. This rejection is traversed for the following reasons.

Claim 1, as amended, recites "deleting the message at the time indicated by the expiration information if the message has not been delivered to the wireless device; the gateway lapsing the expiration instruction if the message has been delivered to the wireless device by the time indicated by the expiration information." This feature is disclosed in at least paragraph 45 of Applicant's specification.

This is contrary to Thorne who teaches that the message is deleted from all locations at the erase time. The erase instruction is not lapsed in Thorne. As described in column 9, lines 44-54, received messages at the recipient are purged at the erasure time as indicated at step 514. Furthermore, Thorne teaches that erasure is system wide, across all computers, when the erasure flag is set. There is no condition for lapsing the erasure, such as that recited in claim 1.

For at least the above reasons, claim 1 is patentable over Thorne. Claims 2-8 and 10-13 variously depend from claim 1 and are patentable over Thorne for at least the reasons advanced with reference to claim 1. Claims 14, 15 and 17-22 recite features similar to those discussed above with reference to claim 1 and are patentable over Thorne for at least the reasons advanced with reference to claim 1.

Claims 9 and 16 were rejected under 35 U.S.C. § 103 as being unpatentable over Thorne in view of Hung. This rejection is traversed for the following reasons. Hung was relied upon for disclosing including instructions in a text message, but fails to cure the deficiencies of Thorne discussed above with reference to claim 1. Claim 9 depends from claim 1 and claim 16 depends from claim 14. Claims 9 and 16 are patentable over Thorne in view of Hung for at least the reasons advanced with reference to claim 1.

Claim 12 was rejected under 35 U.S.C. § 103 as being unpatentable over Thorne in view of Official Notice. This rejection is traversed for the following reasons. Official Notice was relied upon for the existence of pagers, but this reliance fails to cure the deficiencies of

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Thorne discussed above with reference to claim 1. Claim 12 depends from claim 1 and is patentable over Thorne in view of Official Notice for at least the reasons advance with reference to claim 1

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 36192

Date: May 9, 2005

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